

S 106

Equal Access to Justice Reform Amendments of 2001

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Jan 22, 2001

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S379-3

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S379-380) (Jan 22, 2001)

Official Text: https://www.congress.gov/bill/107th-congress/senate-bill/106

Sponsor

Name: Sen. Feingold, Russell D. [D-WI]

Party: Democratic • State: WI • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hutchinson, Tim [R-AR]	R · AR		Jan 22, 2001

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jan 22, 2001

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

Summary (as of Jan 22, 2001)

Equal Access to Justice Reform Amendments of 2001- Authorizes the adjudicative officer (in administrative proceedings) and the court (in judicial proceedings) to ask a party to declare whether such party intends to seek an award of fees and expenses against a Federal agency should it prevail.

Prohibits payment of fees and expenses awarded in such proceedings from appropriated funds of the Treasury's claims and judgments account.

Deletes provisions barring taxpayer recovery of costs, fees, or other expenses awarded under the Internal Revenue Code.

Specifies that: (1) at any time after the filing of an application for fees and other expenses an agency may offer a settlement of the claims made (and, if within ten days, the applicant accepts, either party may file the offer and notice of acceptance); (2) an offer not accepted shall be deemed withdrawn (but shall not preclude a subsequent offer); and (3) if any award finally obtained by the applicant is not more favorable than the offer, the applicant shall not be entitled to receive an award for attorney's fees or other expenses incurred in relation to the application for fees and expenses after the date of the offer.

Deletes requirements that a court find or a party allege that the position of the agency or of the United States was or was not substantially justified.

Requires the Administrative Conference of the United States and the Department of Justice to report to Congress on fee awards paid by Federal districts and agencies.

Actions Timeline

- **Jan 22, 2001:** Introduced in Senate
- **Jan 22, 2001:** Sponsor introductory remarks on measure. (CR S378-379)
- **Jan 22, 2001:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S379-380)